

Group Moral Agency and the IT Department

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Abstract: Within a corporation, information technology (IT) departments may frequently handle sensitive information about customers and are in a particularly unique position to collectively decide upon information governance policies and practices. Individualists deny that there can be a group agency in a robust sense that can warrant ascriptions of moral agency. We argue that McKenna's individualist thesis does not take into account collectives that have the control and knowledge conditions that warrant ascriptions of moral agency, such as those of well-formed IT departments. Collectives, including corporations and IT departments, can be responsive to morally relevant reasons, such as utility maximization and can be moral agents.

Keywords: Information Technology, Corporate Social Responsibility, Group Agency, Discursive Dilemma, Group Decision Theory, Alternative Possibilities, Frankfurt, Ayers, Reasons Responsiveness.

I. Introduction

In Michael McKenna's "Collective Responsibility and an Agent Meaning Theory", he argues a defense for individualism, which is the view that collective responsibility reduces to individual agents. In the course of doing so, he argues that irreducible collectives are not moral agents, because they fail to satisfy two conditions for moral agency – a control condition and a knowledge condition. We argue that this assertion is mistaken. Collectives, including IT departments, can be morally responsible agents who have the type of control and knowledge required for moral agency. After first explaining McKenna's central argument for why irreducible collectives are not moral agents, we will present how some collectives have the complexity to satisfy the two conditions that McKenna argues are inappropriate to ascribe to collectives.

II. McKenna's Argument

The following is McKenna's argument that collectives are not morally responsible agents.

P1: "... I will grant... collectivist talk of irreducible collective agents and shared intentions" [3;p. 21]. Also, "... I will grant for argument's sake the collectivist thesis that (some) corporations are irreducible collective persons" [3;p. 23].

P2: "... Morally responsible agents must satisfy two conditions, a control and a knowledge condition" [3;p. 24].

- a. The control condition requires free will.
- b. The knowledge condition requires moral understanding.

P3: "One important feature of any account of free will in terms of reasons-responsiveness is that the range of reasons to which an agent is responsive must exhibit a rich and stable pattern. This pattern must reveal an appreciation for a broad range of sane reasons, including moral ones" [3;p. 25].

P4: "Even if some corporations are irreducible collective agents, and even persons, it is *highly doubtful* that any such persons could be thought to act from agential resources that are sufficiently sensitive to a spectrum of reasons so rich that it can be established that these corporations exercise *free will*" [3;p. 26].

P5 (from P3 and P4): Irreducible collective agents fail to exercise *free will* and thereby fail the control condition for being a morally responsible agent.

Conclusion: Irreducible collective agents are not morally responsible agents.

III. On Robust Group Agency

3.1 Preliminary to Our Argument

We will attack premise 4 of McKenna's argument, which states that it is highly doubtful that some corporations act from agential resources that give sensitivity to reasons. An uninteresting counter-example to premise 4 would be a case in which a group acts with a free will entirely because the members who act on the group's behalf act with free will. Individualists will be unsatisfied that this counter-example represents a group acting with freedom, because the group's freedom is easily reducible to individual's freedom.

Instead, we will present a case in which the group acts with a control that is sensitive to reasons but where the individuals in the group responsible for creating an emergent group action are not acting with free will.

Also, McKenna will not be satisfied if we merely show that a group can be responsive to some range of reasons. Instead, reacting to a range of reasons, which include moral reasons arrived at through reactive attitudes, is central to being reasons-responsive in a way that would make one acting out of free will required for moral agency [3;p. 26].

Functionally, if a group can perform an action that would function the same as an action that a reactive attitude would bring about, then it would be appropriate to say that the group is appropriately reasons-responsive.

3.2 The School Board Decision

Our example will be analogous to a school board deciding to close a school due to poor weather. Let us assume that a computer can take account of every weather calculations and produce an indicator (perhaps with a red light or a green light) that tells school board members whether they should or should not close the school. For the sake of denying the freedom of individuals acting on behalf of the group, we will assume that each board member is gripped with fear of losing his or her job if they make a bad decision on whether or not the school should close.

All of the board members trust the computer's

calculation, and while gripped with fear of losing their jobs, they are compelled to close the school if the red indicator is on and keep the school open if the green indicator is on. In this example, the school board makes a decision that is reasons-responsive, insofar that if the weather conditions were substantially different, then the group's decision would be different.

However, none of the individuals acting on behalf of the group can be said to act freely. After all, they are coerced and pressured into merely agreeing with the computer.

3.3 The World Charity Organization and a Counter-Example to McKenna

One might argue that a computer calculating whether the weather conditions are suitable for a school closing might show some kind of reasons-responsiveness to the environment, but it does not show responsiveness to *moral* reasons.

Similar to the school board decision, imagine a charity organization (we will call it the World Charity Organization) that uses a computer to calculate where to allocate resources that maximizes the Bentham-type utilities (a unit for measuring happiness). We will assume that each board member of the World Charity Organization is gripped with fear of losing his or her job if they make a bad decision about where to allocate resources.

In this scenario, the World Charity Organization is sensitive to morally relevant changes in the environment. If a disaster, civil war, or injustice occurs, the computer will pick up on it, and since the organization is in a position to prevent further suffering it consequently changes its budget allocation and provides resources accordingly.

IV. How Groups can make Judgments with Reasons-Responsiveness

4.1 The Discursive Dilemma

Philip Pettit says, "a group will form a judgment or other attitudes over a certain proposition when... the group takes whatever steps are prescribed in the constitution for endorsing it" [4;p. 186]. These steps will at some point include a vote from an

individual or individuals who are acting out a particular role within a corporation.

In Philip Pettit’s Discursive Dilemma, a unique group attitude can be arrived at through the aggregation of the group’s members, where none of the members’ stance relates to the group stance in a one-to-one mapping function. The emergent group attitude is wholly different from the attitude of the individual members who are involved in the decision making process (perhaps by means of a majority vote). The following is a representation of voters A, B, and C voting on whether conditions P, Q, and R are satisfied.

<u>Voters</u>	<u>P?</u>	<u>Q?</u>	<u>R?</u>	<u>P&Q&R?</u>
Voter A	No	Yes	Yes	No
Voter B	Yes	No	Yes	No
Voter C	Yes	Yes	No	No
A, B, and C	Yes	Yes	Yes	No

[4; p. 182].

The process by which voters A, B, and C mentally arrive at their votes is not specified in the original example. Imagine if voters A, B, and C were all coerced, or threatened, in such a way that their votes were made without freedom and that voters relied on a reliable method forcibly (the computer can calculate factors that go into a decision better than a human can) for arriving at their decision, and that the reason they relied on the reliable method is because they were coerced.

Voters A, B, and C could come to different conclusions (Yes vs. No) if they were using different results from perhaps different computers that using different models for calculation. The group could then be seen as a moral agent, while the individual members who comprise the group are not.

4.2 A Well-formed IT Department and another Counter-Example to McKenna

We find the counter-example 3.2 compelling, and a concern can be raised that simply because an organization can act with sensitivity to morally relevant conditions does not mean that a single department acting out its function within an organization can have the same kind of agency.

Similar to the World Charity Organization, an IT department may arrive at a unique decision that takes into account morally relevant considerations. Information governance over policy and practices in handling private customer information (i.e sensitive patient informative in the healthcare industry covered by HIPAA laws) need to be made with a certain sensitivity to moral considerations, such as the respect of persons, privacy, how we treat ourselves and others. Although there are no formal requirements on setting up IG groups, ensuring that IG policies are brought about through a diverse group that accounts for all stakeholders is important. “There are no set requirements or formulas for making up your IG team... You will need representatives from different departments - Absolutes include:” [5; ch5].

As we have previously discussed, a unique group decision can be arrived at through the aggregation of the group’s members votes, where none of the members’ stance relates to the group stance in a one-to-one mapping function. The emergent group attitude may be wholly different from the attitude of the individual members who are involved in the decision making process.

In this way, an IT department’s information governance decisions can be set-up in a way that is sensitive to morally relevant conditions, yet be unique and not map onto stakeholder’s votes in a one-to-one fashion.

V. Objections

To make this point, we do not have to adopt a particular stance on the free will debate. However, our stance will exclude a libertarianism that requires that free-acting agents must do so because of a particular biological substance an agent is made of. In our functionalist account of free action, so long as a collective can satisfy the control and understanding condition that is necessary for moral agency, the collective is a moral agent. Also, the fact that antecedent conditions necessitate the group’s action does not negate the fact that the group acted unconstrained.

In “Freedom and Necessity”, AJ Ayer argues that although actions might be necessitated

they can nonetheless be free because the choice of the action is not constrained. Because Ayer finds that something being constrained is the antithesis of freedom and not merely that something is necessitated, he can allow for freedom within a deterministic framework [1;p. 21]. Ayer's soft determinism assumes that there are general deterministic scientific laws, while allowing for the possibility of unconstrained freedom of choice.

Also, in Harry Frankfurt's famous thought experiments surrounding the principle of alternative possibilities (PAP), individuals may readily feel that their choice and volition were the determining cause of their action, while still being in a position where they could not have done otherwise. Simply because acts are necessitated, such as a school board's decision to close a school during a particularly dangerous storm, does not negate that the board acted freely following the organizational aims and goals.

Ayer has only pushed the question of freedom from that of whether we are acting freely to whether our intentions are freely chosen. He admits that our intuitions about freedom of choice might be illusory, but states that we cannot assume freedom of choice is illusory, since we do not have definitive proof. In the case of the school board, the institution was built with certain goals and aims that were chosen by individuals prior to members who may be currently residing on the board. Whether those aims and goals were freely chosen is a different question than whether their current actions are free.

Also, our account does rely on the existence of moral reasons for actions that are not dependent on living beings' inclinations. The World Charity Organization was operating on an assumption that acting to maximize Bentham-type utilities is what is morally required. There are other moral systems that have imperatives that we could easily substitute for Bentham-type utilities, such as acting to maximize autonomy for all rational agents.

Our account does not need to rest on one particular moral theory; however, it does require the assumption that there are moral facts and reasons for acting, external to phenomenon logically knowable

motivational states.

VI. Conclusion

In this paper we have shown how a group can be a moral agent. Collectives, including both organizations as well as departments (such as IT departments), can satisfy both the control condition and the epistemic conditions that McKenna requires for moral agency. After explaining McKenna's central argument for why irreducible collectives are not moral agents, we presented how some collectives can satisfy the two conditions McKenna concludes are inappropriate to ascribe to any collective. Groups, including IT departments, can be reasons-responsive (responsive even to moral reasons), even when the individuals who act on behalf of the group are not acting freely.

Acknowledgements

Brendan Moore is a philosopher and instructional designer currently working on a leadership development program at Ochsner Health Systems in New Orleans, Louisiana. His background includes 7+ years of university medical ethics teaching at Ohio University and several years of work in the area of information technology, instructional technology, and applied computing systems.

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